

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

MARVIN RAGSDALE,
Plaintiff

v.

JLM CONSTRUCTION SERVICES, INC.,
Defendant

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Case No. 1:21-CV-01167-SH

SECOND AMENDED SCHEDULING ORDER

Pursuant to Rule 16, Federal Rules of Civil Procedure, and as stated at the Status Conference held on August 2, 2022, the Court issues the following Amended Scheduling Order:

1. The parties shall complete all discovery on or before **January 31, 2023**. Counsel may by agreement continue discovery beyond the deadline, but there will be no intervention by the Court except in extraordinary circumstances, and no trial setting will be vacated because of information obtained in post-deadline discovery.
2. The parties shall file all motions to amend or supplement pleadings or to join additional parties by **February 7, 2023**.
3. All dispositive motions shall be filed not later than **March 2, 2023**.
4. This case is set for final pretrial conference on **March 15, 2023 at 10 a.m.** and set for bench trial on **March 27, 2023 at 9 a.m.**

Pretrial Submissions

Pursuant to Local Rule CV-16(f), the Court **ORDERS** all parties to serve and file the following information on or before **February 24, 2023**:

- (1) A list of stipulated facts.

- (2) An appropriate identification of each exhibit as specified in this rule (except those to be used for impeachment only), separately identifying those that the party expects to offer and those that the party may offer if the need arises.
- (3) The name and, if not previously provided, the address and telephone number of each witness (except those to be used for impeachment only), separately identifying those whom the party expects to present and those whom the party may call if the need arises.
- (4) The name of those witnesses whose testimony is expected to be presented by means of a deposition and designation by reference to page and line of the testimony to be offered (except those to be used for impeachment only) and, if not taken stenographically, a transcript of the pertinent portions of the deposition testimony.
- (5) An estimate of the probable length of trial.

Objections to Pretrial Submissions

The Court hereby **ORDERS** that, after receiving the information required by Local Rule CV-16(f), the parties confer with each other to discuss, and resolve if possible, any objections they may have to each other's designated deposition testimony and exhibits. Pursuant to Local Rule CV-16(g), the Court further **ORDERS** both parties to serve and file the following information on or before **March 3, 2023**:

- (1) A list disclosing any objections to the use under Rule 32(a) of deposition testimony designated by the other party, and
- (2) A list disclosing any objection, together with the grounds therefore, that may be made to the admissibility of any exhibits. Objections not so disclosed, other than objections

under Federal Rules of Evidence 402 and 403 shall be deemed waived unless excused by the court for good cause shown.

By filing an agreed motion, the parties may request that this Court extend any deadlines set in this Order, with the exception of the dispositive motion deadline and the final pretrial conference and trial dates. The Court may impose sanctions under Federal Rule of Civil Procedure 16(f) if the parties do not make timely submissions under this Order.

SIGNED on December 13, 2022.



SUSAN HIGHTOWER
UNITED STATES MAGISTRATE JUDGE